

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

ROBERT O. WATSON, SR.,	)	CASE NO. 1:08 CV 2007
	)	
Plaintiff,	)	JUDGE SOLOMON OLIVER, JR.
	)	
v.	)	<u>MEMORANDUM OF OPINION</u>
	)	<u>AND ORDER</u>
CLEVELAND POLICE DEPT., et al.,	)	
	)	
Defendants.	)	

On August 20, 2008, plaintiff pro se Robert O. Watson, Sr., an inmate at the Marion Correctional Institution, filed this civil rights action against the Cleveland Police Department and ten other defendants. The complaint seeks to raise claims related to plaintiff's 2006 arrest and subsequent conviction and incarceration. For the reasons stated below, this action is dismissed without prejudice.

A prisoner is prohibited from bringing a civil action or appealing a judgment in a civil action in forma pauperis if, on three or more prior occasions, the prisoner brought an action or appeal in a court of the United States that was dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted. 28 U.S.C. § 1915(g).

Watson has on at least three occasions filed a civil action failing to state a claim in this court. See, Watson v.

David Brown, 1:07 CV 3109; Watson v. Cheselka, No. 1:07 CV 3107; Watson v. McFaul, No. 1:07 CV 1994. Thus, as the complaint in the instant action does not contain allegations reasonably suggesting he is in imminent danger of serious physical injury, he may not proceed in forma pauperis. See Mitchell v. Tennessee, No. 03-5816, 2004 WL 193153 at \*1 (6th Cir. Jan. 30, 2004).

Accordingly, this action is dismissed without prejudice. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

/S/SOLOMON OLIVER, JR.  
UNITED STATES DISTRICT JUDGE

November 19, 2008